



ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

Probate Status Hearing for Failure to File a Petition for Final Distribution.

Age: 4/23/10	JoANN SORIA was appointed as Administrator, with full IAEA authority and without bond, on 11/8/2010.	NEEDS/PROBLEMS/COMMENTS: 1. Need petition for final distribution.
	Letters issued on 11/8/2010.	
Cont. from	The Department of Health Services filed a creditor's claim on 12/12/12 in the amount of \$74,720.18.	
Aff.Sub.Wit.	Inventory and Appraisal filed on 3/11/14 showing the estate valued at \$100,000.00.	
Verified	The Amended Petition for First and Final Account was dismissed on 10/16/14.	
Inventory	Notice of Status Hearing filed on 7/17/15 set this hearing re: Failure to File a Petition for Final Distribution.	
PTC	Notice of the Status Hearing was mailed to Robert Bergin and JoAnn Soria on 7/17/15.	
Not.Cred.	Status Report filed on 8/20/15 states the delay in filing the final report and petition in this estate was the pending lawsuit in the estate of decedent's mother, Anita Lucchesi. A settlement was reached in March 2015. A short time after July 22, 2015, a check was written to the Administrator, and an estate account was opened. Mr. Bergin states he was on vacation for a short time in August, but upon his return prepared the petition for final distribution. A creditor's claim was filed by the Department of Health Care Services. The petition provides that the Department will be paid the net amount of funds remaining in the estate after costs of administration. The petition has been sent to the Department for their approval, and it is anticipated that the attorney will hear back within the next five to seven days. As soon as the approval is signed, it, along with the petition will be filed with the court. It is requested that the status hearing be continued to a date after 9/1/15.	
Notice of Hrg		
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FTB Notice		
		Reviewed by: KT
		Reviewed on: 8/21/15
		Updates:
		Recommendation:
		File 2 – Lucchesi

4 Michael White & Lanae Rodriguez (GUARD/P)

Case No. 13CEPR00038

Petitioner: Farily, Crystal Denise (pro per Guardian/maternal cousin)

Petitioner: White, Sara L (pro per Petitioner/mother)

Petition for Visitation

		SARA WHITE , mother, is petitioner. Please see petition for details.	NEEDS/PROBLEMS/COMMENTS: 1. Need Notice of Hearing. 2. Need proof of service of the Notice of Hearing on: a. Chrystal Farily (guardian)	
Cont. from				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg			X
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	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: KT	
			Reviewed on: 8/21/15	
			Updates:	
			Recommendation:	
			File 4 – White/Rodriguez	

First Account Current and Report of Conservator and Petition for Allowance of Compensation to Conservator and Attorney

	PUBLIC GUARDIAN, Conservator, is petitioner.		NEEDS/PROBLEMS/COMMENTS:
	Account period: 3/13/14 – 5/21/15		
Cont. from			
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	Inventory		
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	UCCJEA		
	Citation		
	FTB Notice		
<p>Accounting - \$410,619.79 Beginning POH - \$386,187.26 Ending POH - \$266,571.98</p> <p>Conservator - \$13,623.04 (100.24 Deputy hours @ \$96/hr and 52.49 Staff hours @ \$76/hr)</p> <p>Attorney - \$2,500.00 (per Local Rule) Bond fee - \$518.00 (o.k.) Court fees - \$537.00 (filing fee, certified copies)</p> <p>Petitioner prays for an Order:</p> <ol style="list-style-type: none"> 1. Approving, allowing and settling the first account; 2. Authorizing the conservator and attorney fees and commissions; 3. Payment of the bond fee. 			
			Reviewed by: KT
			Reviewed on: 8/21/15
			Updates:
			Recommendation:
			File 5A – Nishioka

**Petition for Independent Powers Authorizing Conservator to Sell
Conservatee's Personal Residence**

		PUBLIC GUARDIAN , Conservator, is petitioner.	NEEDS/PROBLEMS/COMMENTS: Note: This petition was originally presented ex parte. Order on the Ex Parte Petition dated 8/14/15 states the court will be addressed at the hearing on 8/26/15.
		Petitioner states at the time the Public Guardian was appointed as conservator, the conservatee was living in the real property, which was her personal residence and business. She moved from the property on 2/6/15.	
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
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<input type="checkbox"/>	Not.Cred.		
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<input type="checkbox"/>	UCCJEA		
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		The Public Guardian asserts that it benefits the conservatee's estate more to sell quickly than to sell through the bid and court confirmation process. The value of the property will decline with each subsequent break in and the costs to insure the vacant property is much higher than property that is lived in.	
		The property may prove to be a difficulty sale because it is not just a residence; it has a business attached to it.	
		Probate Code §2591 allows the court, in its discretion, to make an order granting specific powers if it determines that it would be to the advantage, benefit, and best interest of the estate to do so. The Public Guardian asserts that it would be to the advantage and benefit of the conservatee to sell the real property as quickly as possible.	
		Petitioner asserts that the conservatee is unable to understand these proceedings.	
		The Public Guardian requests the authority to sell the conservatee's personal residence through an auction at a scheduled date, and without further order of the court.	
			Reviewed by: KT Reviewed on: 8/21/15 Updates: Recommendation: File 5B – Nishioka

DOD: 9/5/13		CHRISTINA NONINI PERICAS and MARTIN A. NONINI were appointed Co-Administrators with Will Annexed with Full IAEA without bond on 12/9/14.	NEEDS/PROBLEMS/COMMENTS:
Cont. from 052015, 062415, 072215			
Aff.Sub.Wit.		At the hearing on 12/9/14, the Court set this status hearing for the filing of the Inventory and Appraisal.	Continued from 5/20/15, 6/24/15, 7/22/15. As of 8/21/15, nothing further has been filed. 1. Need Inventory and Appraisal pursuant to Probate Code §8800 or current written status report pursuant to Local Rule 7.5.
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Video Receipt			
CI Report			
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Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
			Reviewed by: skc
			Reviewed on: 8/21/15
			Updates:
			Recommendation:
			File 11 - Nonini

DOD: 12/28/14	DEBORAH A. HARPER , Spouse, was appointed Administrator with Full IAEA with bond of \$185,000.00 on 5/13/15.	NEEDS/PROBLEMS/COMMENTS: Minute Order 6/24/15: Ms. Peck reports that her client did not qualify for bond and requests a reduction to limited authority and an order that the proceeds go into a blocked account. The Court revokes its previous orders and the issued Letters subject to reissuing on 7/29/15. Minute Order 7/29/15: Ms. Harper is directed to contact Ms. Peck by phone today. As of 8/21/15, nothing further has been filed. The following issues remain noted: 1. Notice of Hearing was served <u>without</u> a copy of the declaration filed 7/8/15. Rather, a copy of the original petition was attached. Need clarification of whether notice of this request to waive bond was properly served. 2. The petition originally indicated \$10,000.00 in personal property with \$100.00 annual income and real property valued at \$174,000.00; therefore bond was fixed at \$185,000.00. While amending to limited authority may alleviate the need for bond regarding the real property, bond may still be necessary for the personal property, the nature of which is unknown. The Court may require waivers of bond (DE-142) from the decedent's three adult children, or may require clarification regarding the nature of the personal property, and if cash, may require blocking.
Cont. From: 062415, 072915	At the hearing on 5/13/15, the Court set this status hearing for the filing of bond.	
Aff.Sub.Wit.	Letters have not yet issued.	
Verified		
Inventory		
PTC		
Not.Cred.	Declaration of Deborah Harper filed 7/8/15 states after submitting her bond application, she was informed that she did not qualify due to her credit, and was asked if anyone would co-sign the bond application with her. A co-signer was found, but due to the co-signer's credit, she still did not qualify for bond.	
Notice of Hrg		
Aff.Mail		
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Letters		
Duties/Supp	Ms. Harper therefore requests the Court modify the order appointing her as administrator by:	
Objections	i. Reducing her authority from Full to Limited authority; or	
Video Receipt	ii. Granting full authority and requiring that any estate cash or sale proceeds be deposited into a blocked account.	
CI Report	With the above-listed adjustments to the order, she is confident that she can efficiently, timely and responsibly administer this relatively modest estate to the Court's satisfaction.	
9202 Order		
Aff. Posting		Reviewed by: skc
Status Rpt		Reviewed on: 8/21/15
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 15 - Harper

26 Nickolas Gutierrez, Matthew Gutierrez (GUARD/P) Case No. 15CEPR00723Attorney **Bakergumprecht-Davies, Kathleen (for Sonia Covarubias-Gutierrez – Petitioner)****Petition for Appointment of Temporary Guardian (Prob. Code §2250)**

	See petition for details.	NEEDS/PROBLEMS/COMMENTS:
Cont. from 080515		
	Aff.Sub.Wit.	
✓	Verified	
	Inventory	
	PTC	
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✓	Aff.Mail	W
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	Sp.Ntc.	
	Pers.Serv.	X
	Conf. Screen	
✓	Letters	X
✓	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
	9202	
✓	Order	
	Aff. Posting	
	Status Rpt	
✓	UCCJEA	
	Citation	
	FTB Notice	
		The following issues remain noted:
		1. <u>Need clarification re Petitioner's name and Father's name:</u> In some places it appears as "Covarrubias-Gutierrez" and in some places it appears as Gutierrez-Covarrubias." Petitioner signs her name using Gutierrez only. The father, Petitioner's brother, is listed as "Gutierrez-Covarrubias," but appears on the birth certificate as Gutierrez only. Also, Sometimes Covarrubias is spelled with two "Rs" and sometimes one.
		2. Need proof of <u>personal</u> service on both parents at least five court days prior to the hearing pursuant to Probate Code §2250(e). Service by mail is insufficient.
		3. Letters submitted are incomplete and are not signed by the petitioner. Need <u>completed, signed</u> letters.
		Reviewed by: skc
		Reviewed on: 8/21/15
		Updates:
		Recommendation:
		File 26 – Gutierrez

29A Alveon LaJuan Moultrie (GUARD/E)

Case No. 14CEPR00956

Guardian Alvin Moultrie (Pro Per – Father – Guardian of the Estate)

Status RE: Receipt of Blocked Account

		ALVIN MOULTRIE , Father, was appointed Guardian of the Estate without bond on 3/24/15.	NEEDS/PROBLEMS/COMMENTS: <u>Minute Order 8/19/15</u> : Matter is continued in order for the Examiner to contact the bank. 1. Need Receipt and Acknowledgment of Order for the Deposit of Money into Blocked Account (MC-356).
Cont from 050615, 052715, 070115, 071515, 072915, 081915		The Court originally ordered funds to be placed into a blocked account based on the file and set status hearing for the filing of the receipt for blocked account.	
Aff.Sub.Wit.			
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Citation			
FTB Notice			
		Reviewed on: 8/21/15	
		Updates:	
		Recommendation:	
		File 29A - Moultrie	

29A

29B Alveon LaJuan Moultrie (GUARD/E) Case No. 14CEPR00956

Guardian Moultrie, Alvin (Pro Per – Father – Guardian of the Estate)

Probate Status Hearing Status RE: Filing of the Inventory and Appraisal.

	ALVIN MOULTRIE , Father, was appointed Guardian of the Estate without bond on 3/24/15.	NEEDS/PROBLEMS/COMMENTS: 1. Need Inventory and Appraisal per Probate Code §2610 or written status report per Local Rule 7.5.
	At the hearing on 3/24/15, the Court set this status hearing for the filing of the Inventory and Appraisal.	
Cont. from 072115, 072915, 081915		
Aff.Sub.Wit.		
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Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
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FTB Notice		
		Reviewed by: skc
		Reviewed on: 8/21/15
		Updates:
		Recommendation:
		File 29B – Moultrie

29B

30A Aniyah La'Nay Moultrie (GUARD/E)**Case No. 14CEPR00957****Guardian Alvin Moultrie (Pro Per – Father – Guardian of the Estate)****Status RE: Receipt of Blocked Account**

		ALVIN MOULTRIE , Father, was appointed Guardian of the Estate without bond on 3/24/15. The Court originally ordered funds to be placed into a blocked account based on the file and set status hearing for the filing of the receipt for blocked account. See also Declaration filed 7/10/15	NEEDS/PROBLEMS/COMMENTS: Minute Order 8/19/15: Matter is continued in order for the Examiner to contact the bank. 2. Need Receipt and Acknowledgment of Order for the Deposit of Money into Blocked Account (MC-356). <u>Note:</u> The EECU Verification of Deposit attached to the declaration does not confirm that the funds are deposited into a blocked guardianship estate account. The mandatory Judicial Council form MC-356 must be used for this purpose. 3. Petitioner's declaration appears to request a lump sum from both minors' accounts. A proper Petition for withdrawal of Funds from Blocked Account (Mandatory Judicial Council Form MC-357) must be appropriately filed in each minor's estate, with a proposed order thereon (MC-356), and the Court may require additional information or noticed hearing.
Cont from 050615, 052715, 070115, 071515, 072915, 081915			
Aff.Sub.Wit.			
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Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
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Letters			
Duties/Supp			
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Status Rpt			
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Citation			
FTB Notice			
			Reviewed by: skc Reviewed on: 8/21/15 Updates: Recommendation: File 30A - Moultrie

30A

		ALVIN MOULTRIE, Father, was appointed Guardian of the Estate without bond on 3/24/15.	NEEDS/PROBLEMS/COMMENTS:
		At the hearing on 3/24/15, the Court set this status hearing for the filing of the Inventory and Appraisal.	2. Need Inventory and Appraisal per Probate Code §2610 or written status report per Local Rule 7.5.
Cont from 072115, 072915, 081915			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
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Video Receipt			
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Order			
Aff. Posting			Reviewed by: skc
Status Rpt			Reviewed on: 8/21/15
UCCJEA			Updates:
Citation			Recommendation:
FTB Notice			File 30B - Moultrie